IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.828 OF 2005

IN

FIRST APPEAL NO.472 OF 2001.

Shri Tayarsha Mahmad Fakir : Applicant.

versus

The Collector, Sangli : Respondent.

Mr.T.S.Ingale for the applicant.

Mr.B.R.Patil, AGP, for the respondent.

CORAM : D.G.DESHPANDE,J.

DATED : 3rd March 2005.

ORAL ORDER

1. Leave to amend granted. Heard the advocates for the applicant and respondent. This application is filed by the original claimant under Order 41 Rule 27 of the Code of Civil Procedure for producing additional evidence by way of certified copy of the Index Register of

two sale transactions.

2. The application is opposed strongly by the learned AGP on the ground that there is no explanation why this document could not be produced before the Reference Court.

3. However, looking to the circumstances, this application is allowed subject to costs of Rs.500/-. Costs to be paid on or before the next date to the learned AGP. Payment of costs is a condition precedent. S.O. to 11.03.2005. Application is disposed of.

[D.G.DESHPANDE]

03/03/2005 JUDGE.